

CITY OF HORSESHOE BAY
CITY COUNCIL MEETING
MINUTES

The City Council of the City of Horseshoe Bay held a Public Meeting at City Hall February 16, 2016, beginning at 3:00 p.m. in accordance with duly posted notice of said meeting with the following members present:

Stephen T. Jordan, Mayor
Craig Haydon, Mayor Pro Tem
Cynthia Clinesmith, Council Member
Jerry Gray, Council Member
Reagan Lambert, Council Member
David Pope, Council Member

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda item number and subject shown preceding the applicable paragraph.

1. Call the Meeting to Order and Establish a Quorum: Mayor Jordan called the meeting to order at 3:00 p.m. stating a quorum was present. He said copies of the agenda were available on the podium and asked that anyone who would like to make comments please sign the sheet on the podium and go to one of the podium microphones when it was their turn to speak.
2. Invocation: Johnny White, Senior Pastor at the Church at Horseshoe Bay gave the invocation.
3. Pledges to the Flags: Mayor Jordan led the pledges of allegiance to the United States flag and the Texas flag.
4. Public Comments: Andy Murr reported he currently serves as State Representative for House District 53 which includes 12 counties and about 15,000 square miles. He said his office is always available to visit with residents concerning any issues they might have with State agencies or with the State. Dawn Buckingham reported she is a resident of Lakeway and one of the candidates for the State Senate to replace Troy Fraser.
5. Staff Recognition:
 - a. Hill Country 100 Award Recipients:
 - i. Ben Miller – Fire Department
 - ii. Kevin Ard – Police Department

Mayor Pro Tem Craig Haydon presented the recipients with their plaques and thanked them for their service.

6. Discuss, Consider and Take Action Regarding Ordinance to Annex Areas in the City's Extraterritorial Jurisdiction into the City Limits: Mayor Jordan recommended to the Council that they vote to annex The Hills and the properties in Areas 1, 2, and 3 with the exception of the properties that had signed a development agreement. He said he wanted to make it very clear to the owners in The Hills that should the Council decide to approve annexing The Hills that it would not include the roads or the water lines. Wayne Baylor, President of The Hills POA, said the consensus of the members was that they were in favor of annexation of everything along 2831 that did not sign a development agreement. Mayor Jordan said the City had also received letters from board members of The Trails POA and people residing in The Trails, all of which supported the annexation of properties along both RR 2831 and CR 311. Council Member Clinesmith clarified that the reason properties on the south side of Hwy 71 were not being annexed was because they had signed development agreements. City Manager Farmer confirmed this was true. She also spoke of the properties along CR 311 that were in the process of getting their agriculture exemption from the County and her understanding was that they would be excluded from the annexation. Mayor Jordan reported the property being discussed belonged to the Lawler's and they had applied for the agriculture exemption but it had not been completed because the county does not consider these exemptions until June or July. He said the City cannot offer a development agreement unless the property is classified as ag exempt. City Attorney Rex Baker said the City has a 90-day time frame within to complete the annexation so that ends April 11. Any tracts that are before the Llano County Appraisal District for approval of an ag exemption would not be known until July and at that point if the City decided to go ahead and annex them, then City would have to start the process all over. Annexation by the City would not prevent them from getting their ag exemption. Council Member Clinesmith said it was her understanding that the City would be taking over The Hills streets. Mr. Farmer said after annexation, if they chose to then the subdivision would have to offer the roads to the City and the City accept prior to the roads being deeded to the City. Mayor Jordan reported that in the past when the City takes ownership of streets from a POA there had been an agreed upon annual amount they pay the City. The Hills streets would not be improved at that time but would be maintained at their current level per the current City Policy Standards for Street Improvements. Mr. Baylor reported that all of the lots were platted to the center of the streets so unless there is some way to work around that then discussion regarding the City taking ownership of their streets was a moot point. Mayor Pro Tem Haydon made the motion to exclude property located south of Highway 71 owned by Margaret Booth, Parcel No. 54954, 484.105 acres and Mary E. Bouchard, Parcel No. 54956, 189.622 acres, No. 10028, 50.168 acres, and No. 10811, 136.03 from annexation due to their being encumbered by restrictive conservation easements, seconded by Council Member Pope. Motion passed unanimously (5-0). Mayor Pro Tem Haydon made the motion to approve and adopt the annexation ordinance as stated in the agenda, seconded by Council Member Pope. Motion passed unanimously (5-0).
16. Discuss, Consider and Take Action Regarding the Preliminary Plat of Gynergy Villas At Horseshoe Bay, a 63 Lot R-4 Townhouse Subdivision, With Two New Streets, a Clubhouse, a Swimming Pool, a Water Feature and Several Common Areas, Including a Common Area For a 40,100 Cubic Foot Water Quality Pond on a 10.95 Acre Tract (On The Northwest Side of Golden Nugget, Southwest of The First Lot on The Northwest Corner of Golden Nugget and Broken Hills, and across from Westgate Loop And Westgate Subdivision):

Mayor Jordan said he would like to move this item up on the agenda. Doug Jackson with The Hills POA Board reported the POA was opposed to this project. He requested that the City provide some type of point person or group to monitor concerns/issues that citizens with adjoining property have with regards to items such as drainage, safety and increased activity in and out of the area. Cynthia Jackson, also a POA Board Member, reported she was also opposed to the project and provided a list of questions of concerns and asked that the City or the Developer provide answers. Her questions included what would happen if the project was not completed or went bankrupt, what was the projected traffic on Golden Nugget and would it need to be widened and if so who would pay for it, who would pay for and who would approve the sewer, what are the next steps and would there be other opportunities for input prior to final approval. Cynthia Hughes, resident of The Hills stated her opposition to the project due to concerns regarding a decrease in her property value, pollution of the pond on her property and asked if the City could require a privacy fence around the perimeter of the project. Vicki Gatza, resident on The Hills Road, expressed concerns with drainage onto her property due to the project and all the additional cement causing the water to travel faster and cause flooding and washing pollutants into the pond. Kathy Turner-Shull lives on Golden Nugget adjacent to the Gynergy property and expressed her opposition to the project. Her concerns were no longer feeling it is a safe environment and that the project is just too dense. Her additional concerns were what would happen if the project were to go bankrupt and flooding in the creek. Tina Thibodeaux, resident on Golden Nugget, also expressed concerns regarding safety of citizens, streets, homes, visitors and workers. She added that the proposed project brings other safety concerns such as speeding, parking and the workers to name a few. Ms. Thibodeaux added that Golden Nugget is a very busy road and with this new project more traffic would be inevitable and hikers, joggers and walkers are always present. Also there is a school bus stop at the intersection of Golden Nugget and The Hills Road which picks up at 6:40 a.m. and drops off at 4:45 p.m. and requested more patrols of these streets. Another concern was parking during the construction. Ms. Thibodeaux also requested the City to create guidelines for workers within the City that would include a supervisor available at all times on-site during work hours and limited background checks. Bob Goodman, another resident on Golden Nugget stated he had not attended previous meetings because he lives more than 200 ft. from the project and did not receive notice any of this was going on. He asked if the developer had provided any renderings of this project and the price range. Mr. Goodman also had concerns regarding increased traffic on Golden Nugget and Broken Hills, each road being only two lanes with a lot of curves. He also asked if there was any Section 8 housing in this project and had the developer done a marketing study. Project Engineer Tony Plumlee gave a presentation on how the project would impact drainage, modifications he had done to the design regarding fire truck access, parking, widths of streets and impervious cover. He said they have tried to address all the concerns in the revised plat with modifications to relocations of storm water using best management practices. Mr. Plumlee said they relocated three of the catch basins so they would not take any additional water from Ms. Hughes pond and if she wanted they could give her more water; however, they can determine that with the facilities design and the ability to catch and release at the same cubic feet per second that she currently receives. Mr. Plumlee gave further explanation regarding the design to insure water quality such as a bio retention pond and provided slides of various designs. Mr. Plumlee stated that the LCRA developed their storm water management in 1998 and his firm had been working with them since. He said

there is a permit process, public notices in newspapers, determine the plan, design it completely and engineer all the roads where the drainage goes and LCRA has to approve the design. The developer has to put up a Letter of Credit for a bond securing a certain part of the vegetation, silt fence and other things that have to be maintained during construction. LCRA has requirements that during a ½ inch rain they have representatives who along with Mr. Plumlee's representative, inspect the site to determine if the silt fence and other control measures are working and if they fill up with silt they have to be cleaned out and brought back to their original condition which has to be done after every ½ inch rain. Mayor Jordan explained that today's action was a preliminary plat approval and the City is depending on the LCRA's involvement and comments once the development reaches that stage. Mr. Plumlee said they had presented the preliminary project plan to LCRA advising them it would be coming to them. When asked, Developer of the Gynergy project Chet Allen reported they have learned that doing the entire site work at the beginning of a project would lower the cost by one-third to one-half and it lays the ground work to go vertical. Their plan is to do all site work including, because of sales, to do the amenity package to include the club house, swimming pool, the barbeques and use as a sales office. Then they will build nine units out because it takes four to five months to build one of their three unit buildings and people want to move in quicker than that so they will stay two slabs ahead because when someone needs to occupy in 60 to 90 days they can go vertical quicker. Mr. Allen said the community will definitely be gated and in his experience landscaping is important adding to the quality of the product for sale. Mr. Allen was asked about his company's organizational structure and the contingency plan if something happened to one of the two partners. He responded saying most of their team is younger than the partners and either partner could substitute for the other. Mr. Allen said he plans on moving to be able supervise this project and their general contractor is younger and Tony Plumlee of Willis Engineering will be involved. He said the developer is the coordinating decision making principal and if you have enough team behind you that are young, competent people it can work. Mr. Allen was asked about the bank lending the money to the two principals and what was the plan if the two principals of the development firm were no longer available and the project was not complete. Mr. Allen said their plan was to be self-containing, self-financing after the end of the second year, they will not take money out until the project is completed so the money keeps flowing back into the project. Council Member Gray said it did not appear they had a contingency plan if something happened to both partners. Mr. Allen replied that the ownership will be a Texas limited liability company and it will be owned by their investors with Mr. Allen and his partner as the managing members. They will have the authority to make it work and they have been doing this same format for 20+ years and their primary concern is safety first for their investors and good projects. They are not taking money out the front end for their selves at all and what they are doing is building it and making sure that it is funded. Council Member Gray asked the size and price of the units and Mr. Allen said 1,250 and 1,536 square feet and with beginning prices of \$250,000-\$300,000. Council Member Gray asked if they would address in off-driveway or street parking in the CCR's. Mr. Allen said there would be a homeowners' association with by-laws. He added they have made their garages extra deep due to concerns for extra parking making them 32 feet deep with extra parking in the drive way but there would be no on-street parking. Council Member Gray asked with regards to the preliminary plat was there any particular reason why it is important that it be approved today and Mr. Allen replied there are certain conditions attached to the plat and at that point they know what they have to do and what is required.

He said the Council puts conditions on their approval of the preliminary plat which they would have to meet for final approval. When they have the requirements laid out on the preliminary plat he can then go seek his financing. Development Services Director Eric Winter clarified that the Council cannot put conditions on their approval of the preliminary plat as long as it meets the requirements of the Subdivision ordinance. It was clarified that at the final plat approval the Council would have another chance to make sure the changes made today were minimal. Council Member Pope asked when they are ready to begin construction would they have all the funds available to totally complete the project and what insurance does the City have to insure completion. Mr. Allen said if they can get a bank loan and they are speaking to two banks in Horseshoe Bay about possibly funding this project and that scenario requires that they obtain and deposit a certain percentage of the cost in their bank plus the bank's funds have to be there to do the first phase which combined total \$4.6M. Mr. Allen said the second scenario is if they can't come up with a loan they can live with they have to go find \$4.6M in investors; however, they cannot go look for this before they know what the rules are here in the City. Council Member Pope said to assume they get the \$4.6M lined up how assured can the City be that the rest of the funds needed for the project would be available when needed. Mr. Allen said they already have bids for a lot of the project including the general contractor and the geo-tech. Mayor Pro Tem Haydon made the motion to approve the revised preliminary plat which would then become the basis for the final plat for the project which the Planning and Zoning Commission would review and take action on and then it would come back to the Council for consideration of final approval, seconded by Council Member Lambert. Motion passed unanimously (5-0). City Manager Farmer said staff will collect all the questions brought forward today and respond to them.

7. Items to be removed from the Consent Agenda: There were no items removed from the Consent Agenda.
8. Consent Agenda Items:
 - a. Approval of Minutes of the January 12, 2016, 9:00 a.m. and 1:00 p.m. Workshop Meetings and January 19, 2016 Regular Meeting
 - b. Approval of Annual Racial Profiling Statistics Report for 2015
 - c. Approval to Move April 5, 2016 Council Workshop to March 29, 2016
 - d. Approval of Amendment to Personnel Policy Article IV, Conditions of Employment; Section 11, Dress Code Policy
 - e. Approval of Amendment to Personnel Policy Article IV, Conditions of Employment; by adding Section 12, Weapons in the Workplace Policy

Council Member Gray made the motion to approve the Consent Agenda as presented, seconded by Council Member Pope. Motion passed unanimously (5-0).

9. Monthly Statistical Departmental Data Reports:
 - a. City Manager; Administration; Community Services; Development Services; Fire Dept.; and Police Dept.

City Manager Farmer reported the 2015-2016 fiscal year deer trapping caught 406 deer, 165 in Proper and 241 in West, 243 bucks, 163 does and this concluded the deer trapping until the fall since permits run from October 1 through March 31. Mr. Farmer added that the trapper

took three members of the deer study group to observe one night of deer trapping. He said the next meeting of the deer study group is February 25. Mr. Farmer also reported the City had heard from Texas Fish and Wildlife which had approved the hiking trail plan. He said he was still waiting for final approval from Texas Parks and Wildlife but construction cannot begin until September anyway.

Development Services Director Winter reported the Texan Mart came back to municipal court last Wednesday and they are a little behind schedule. The project was to be completed the end of January and now they anticipated another week or so but they are making progress. He said the Hidden Cove project was proposed for the area around Faultline Drive, Lost Echo and Diagonal and they were looking at doing a gated, large lot residential community with 13 garden home lots that would be 60' by 200' and 5 non-lakefront lots with access for boat docks on the lake. He said current zoning was C2 and would need to be changed and this area would be required to be a planned development. Mr. Winter said this would go to P & Z in April with notices in the newspaper mid-March for the Planning and Zoning meeting. Council Member Gray asked what the City would need to do to require extending the lead time on notices. Mr. Winter said this could be done by amending the Zoning ordinance. Council Member Gray proposed that staff look into this as the biggest complaint he hears with all these type projects was regarding people not receiving sufficient advance notice. Mr. Winter said it was currently 16-days' notice and he would come back to the next meeting with a proposal. Council Member Gray asked the status of the Tuscan Village project and Community Services Director Jeff Koska reported they are currently working on utilities on the road leading into Tuscan Village and the lots on the golf course.

10. Update Regarding Street Improvement Plan: City Manager Farmer reported this would be the last report on the progress of Street Improvement Plan and it shows the close out of this contract of \$3.3M with two change orders increasing it to \$3.58M.

11. Discuss, Consider and Take Action Regarding Approval of Contribution Requests of \$5,000 each by:

- a. Llano County Library System

Council Member Pope wanted to disclose that his wife Nelda has been volunteering with the Llano Library system since they moved to Horseshoe Bay 14 years ago and she had served on the board for the last 10 years so he would abstain from voting on this item. Council Member Lambert reported he had done some research on this and according to a 2013 survey, 94% of Americans said that having a public library in their community improved their quality of life and the survey went on to say that three-quarters of the public said that libraries had been effective in helping them learn how to use new technologies through public access to computers, internet, Wi Fi, technology training and digital content that supported education. He added that Llano County had established libraries in the unincorporated towns of Kingsland and Buchanan Dam and he does not believe the City should be sending money to the Llano Library System but the City should ask Llano to contribute to setting up a branch in Horseshoe Bay similar to what they have done in the unincorporated towns of Kingsland and Buchanan Dam. Council Member Lambert said Horseshoe Bay was 29 miles from Llano, 20 miles from Kingsland and 16 miles from Buchanan Dam and he believed the City should ask Llano to provide a branch library for Horseshoe Bay and the City should use this money toward it. Council Member Pope stated he totally agreed and brought the same thing up a year ago. He said he looked at the Llano

County budget and he thought it was safe to say that Horseshoe Bay paid more than 60% of the property taxes that were paid in the county and of the expenditures there was \$3.5M in the sheriff's department and \$2.3M in roads and bridges and based on his perspective he thought the City gets very little benefit from either of those. Council Member Pope agreed he thought the City should have a conversation with the County Judge to let them know the City really would like to have a library. Mayor Pro Tem Haydon said he had talked to Mike Walsh and with the Siena Grove assisted living he planned to use the old Stone House as an administrative area; he had acknowledged that he could house that type facility there. It would give the residents there as well as the community access to the library and become a natural coalesce type environment for the entire community and he would like to see the City direct their efforts there. Council Member Pope said he thought a substantial number of cardholders for the Llano Library were downloading the e-books as Llano had a bit of a head start on Marble Falls in that technology. Mr. Ronnie Yates explained to the Council he was County Judge and personally involved at the time the Kingsland library was built. He said the land was donated by a family and funds were raised by the community to build it then it was given to the county. Council Member Gray made the motion to approve the contribution to the Llano County with the notation that the City would like to begin a dialogue regarding library facilities within the City of Horseshoe Bay, seconded by Mayor Pro Tem Haydon. Motion passed 3-1-1 with Lambert voting against and Pope abstaining.

b. Friends of the Marble Falls Library

Council Member Clinesmith said she agreed with Council Member Lambert regarding the taxes paid to Llano County; however, the City pays a great deal less taxes to Burnet County and she believed the community utilizes Marble Falls Library more due to the proximity. Council Member Clinesmith made the motion to approve the contribution to the Friends of the Marble Falls Library with the notation that the City would begin a dialogue with them regarding library facilities within the City of Horseshoe Bay, seconded by Council Member Pope. Motion passed unanimously (5-0).

12. Discuss Ordinances to Control and Police any Issues Regarding Short Term Rentals Within the City of Horseshoe Bay: Horseshoe Bay resident George Fancher stated he owned property on the water near the end of Broken Arrow which was all zoned for single family housing. The last couple of years one of the owners of a house nearby had been renting their house on a short term basis. Mr. Fancher said he believed it violated the zoning and the deed restrictions. Mayor Pro Tem Haydon said Greg and Debbie Frazier had reported to him a similar situation in Lago Escondido near their home. He said this was an income thing and should not be that way adding there was nothing in Lago Escondido that cost less than \$2M and they have had problems with the renters regarding parking and other issues. Police Chief Wardlow said this was back in 2013 and he had asked that they put up a no parking sign to make it easier to enforce the parking regulations and to his knowledge there had not been any more problems. Mayor Pro Tem Haydon said he thought there was still a problem there. Mayor Jordan asked that Chief Wardlow work with Mr. Fancher and the Frazier's regarding this issue. City Attorney Rex Baker said this was coming up more and more and there had been court cases with most coming down saying you can't keep someone from leasing their house. He said there were exceptions. Baker said it was more of a conduct issue than a lease issue and now most of the communities that he knows have beefed up their conduct ordinances such as curfew, number of cars that can be parked, the City can limit the number

of people in a house. He said if this was covered by City ordinance the City would reinforce; however, if there was a restrictive covenant violation then that was a private contract right and anyone that was under similar restrictions (anyone in that neighborhood) has the right to file a lawsuit against the owner of the property for violating the deed restrictions. Mr. Baker said there was a four-year statute of limitation, so if they felt like that use was a violation of the restrictions then they needed to enforce it before the end of the four-year statute of limitations. Sam Tabet said the HSBPOA subdivision regulations were not prohibitive against short-term rentals. Police Chief Wardlow reported that State law and existing ordinances such as disorderly conduct, public intoxication, parking restrictions, noise, curfew on minors, outdoor burning, fireworks, fire code, property maintenance requirements had to his knowledge proven to be an effective means to control and police short term rentals. He said since 2013 the police department had only addressed one known issue that was attributed to a short term rental and that was the Lago Escondido parking issue discussed earlier. Chief Wardlow asked that anyone experiencing issues to contact the Police Department.

20. Public Hearing, Discuss, Consider and Take Action Regarding Ordinance to Extend the Moratoriums on New Construction in Zone 13 Caprock Zone, and Tract BBB-2A of Zone 14 Horseshoe Bay Boulevard PD Zone (2700 Block of Bay West Blvd., and Northwest Corner of Horseshoe Blvd. and Hi Circle North): Mayor Jordan said he would like to move this item up on the agenda. He then convened a public hearing at 5:55 p.m. and asked if there were any comments. Ronnie Yates said he was here to talk about Tract BBB-2A. It has been in a moratorium mode since 2008 and was located across from the hotel and undeveloped. Mr. Yates said in these economic times the picture was no clearer now than in the beginning. He asked for another extension of the moratorium for two years. Development Services Director said the moratorium for both properties would expire February 18, 2016 and both owners had requested the extension of the moratorium. The public hearing was adjourned at 5:58 p.m. Council Member Clinesmith made the motion to approve the ordinance extending the moratorium for two years, seconded by Council Member Pope. Motion passed unanimously (5-0).
13. Discuss, Consider and Take Action Regarding Ordinance for a FY 2016 Utility Fund CIP Budget Amendment in the Amount of \$85,000 to Transfer Funds from South Lift Station Rehabilitation Project to Computer Server Replacement Project: Community Services Director Jeff Koska reported that in November 2015 the City received notification that the Windows platform on the City's computer server would no longer be supported. This had been discussed during the last budget cycle but staff thought at that time that there might be more time before it became an issue. The current server was installed in 2009 and had reached its expected life. The software that this server supports included financial, utility billing, GIS, asset management and record retention so it is a very important piece of equipment. Staff had researched various options and determined a lot of cities and smaller businesses were going to a virtual server system which houses two redundant servers so if one crashes the other would continue to run. They also have a disaster recovery. Mr. Koska consulted with Dell and they came up with the list of equipment shown. He said the work on the lift station in Horseshoe Bay South was budgeted to fund changing out the pumps and revamping the lift station; however, this computer item takes precedence and staff requested the budget amendment to create a new project called server project and transfer the funds

from the lift station project which would be back in the proposed budget for the next year. Council Member Gray asked about taking the entire \$85,000 when the cost appears to be only about \$65,000. Mr. Koska said there was \$60,000 for the cost of equipment which included the two servers, the rack, and the hardware, hard drives and backup server plus the other equipment to keep the system going. There was \$18,000 in labor to create the virtual servers and to configure the system which also included the licenses. Council Member Clinesmith asked if the licenses were annual and Mr. Koska said that the software license were for the sequel database and the server Windows support platform. Council Member Gray made the motion to approve the budget amendment as presented, seconded by Council Member Pope. Motion passed unanimously (5-0).

14. Discuss, Consider and Take Action Regarding Amendment to Resolution RES 15-03-17B to Replace Council Member Phillip Lee as Council Liaison to the Long Range Planning Advisory Committee: Mayor Jordan reported he had asked Council Member Gray if he would serve in this capacity and he had agreed. Mayor Pro Tem Craig Haydon made the motion to appoint Council Member Jerry Gray to replace Phillip Lee as Council Liaison to the Long Range Planning Advisory Committee, seconded by Council Member Pope. Motion passed (4-0) Council Member Gray did not vote.
15. Discuss, Consider and Take Action Regarding Approval of Long Range Planning Advisory Committee Request to Hire Consultant: City Manager Farmer reported this committee had worked since April 2015 to develop a comprehensive plan and had prepared much of the information that would be going into the plan. They worked with the Houston-Galveston Council of Governments to send requests to 16 consulting firms that had been pre-screened based on many criteria. Mr. Farmer said of the 16 firms only one, Freese and Nichols, responded that they were interested in working on the plan with a proposal that included a fee of between \$68,000 and \$69,800. Next, staff sent out a request to Holtkamp Planning, who had prepared the Dripping Springs Comprehensive Plan. They were sent the same information as was sent to the H-G Council of Governments. Committee Chairman Jim Long, Committee member Lynette Morrison and Eric Winter met with the principal of the firm, Chris Holtkamp to discuss the Committee's reduction in scope of the project since their first proposal. A second proposal was submitted with a revised proposal and project fee of \$27,500, expenses of \$1,700 for a total fee not to exceed \$29,200. Committee Chairman Jim Long recommended that the Council approve this request. Council Member Gray asked about the budget for this. Mr. Farmer said there was money left in the Deer Trapping and Tree Removal line items and he would propose a budget amendment moving this amount to the Advisory Committees line item. Council Member Clinesmith made the motion to approve hiring Holtkamp Planning for an amount not to exceed \$29,200 and using funds available in the budget, seconded by Mayor Pro Tem Craig Haydon. Motion passed unanimously (5-0). Mr. Farmer said he would bring back a budget amendment for approval at the next meeting.
17. Discuss, Consider and Take Action Regarding Denial of Variance and Removal of Sign at The Bible Church of the Lakes Located at 24101 E. Hwy. 71 in the City's ETJ: Mayor Jordan reported the church had installed a sign that did not meet the City's requirements and when a variance was requested it was denied by Council at the last meeting. Council Member Pope speaking as a member of the church told the Council that the sign would be

removed but asked for some time to see if he could contact some sign companies to see if someone might be interested in buying it so the church could recoup some of the money spent on the sign. He also requested that City Manager Farmer consider notifying property owners in the future that they are in the City's ETJ and they would be subject to City ordinances in some cases. Mr. Pope said the church did not know they were in the City's ETJ and had relied on the sign company when they told them they did not need to get a permit. He added he thought it might be a good time to publish an article regarding zoning to let people know the City has zoning maps available and if someone had a concern about how their area was zoned.

18. Discuss, Consider and Take Action on Amendment to Chapter 10 Subdivision Regulations to Delete Article 10.02 Plat Approval: Development Services Director Winter said it had been brought to staff's attention that Article 10.02 Plat Approval conflicted with the regulations found in Article 10.03 Subdivision Ordinance and was causing confusion in the administration of the regulations. Mayor Pro Tem Haydon made the motion to approve the deletion of Article 10.02 seconded by Council Member Gray. The motion passes unanimously (5-0).

19. Public Hearing, Discuss, Consider and Take Action Regarding Approval of the Preliminary and Final Plat for:

- a. Replat of Lot Nos. 3-A, 4-A, 44-A, 46-A and 83-A, Horseshoe Bay Applehead Island, Plat No. 21.1 into 4 Lots to Increase the Width of Access on Lake LBJ for each new lot (Lots are Adjacent to and to the West of 5 Applehead Island Drive and South and East of 68 Applehead Island Drive)

Mayor Jordan convened a public hearing at 6:20 p.m. and asked if there were any comments. Applehead Island POA President said the POA had no objection to this replat. Mayor Jordan adjourned the public hearing at 6:20 p.m. Council Member Pope made the motion to approve the preliminary and final replat, seconded by Mayor Pro Tem Haydon. Motion passed unanimously (5-0).


21. Adjournment: Mayor Pro Tem Haydon made the motion to adjourn at 6:21 p.m., seconded by Council Member Pope. Motion passed unanimously (5-0).

APPROVED this 15th day of March, 2016.

CITY OF HORSESHOE BAY, TEXAS


Stephen T. Jordan, Mayor

ATTEST:


Teresa L. Moore, TRMC
City Secretary

